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Committee on International Law subjects. The opposition, led by Senator La Fontaine of Belgium, one of the most gifted men in the Peace Movement, and supported by many of the French and English delegates, held that the proposal was an attempt to regulate war, which was not the business of a peace congress, and that the neutralization of these routes would probably diminish rather than increase the interest of commercial men and statesmen in the cause of peace. To this, able replies were made, among others, by Professor Quidde of Germany, who argued that what was aimed at was not a regulation but a limitation of war, and by J. G. Alexander of England, who declared that the neutralization of these routes would take away the main excuse of Great Britain for keeping up her big navy. The Chamberlain proposition was finally carried by a vote of nearly two to one, taken amid the greatest tension of interest.

The debate on sanctions of arbitration, on which the Peace Congress has always been divided in opinion, was also very able. The proposition for the institution of such sanctions was reported from committee by Dr. Dumas, a very able French jurist, and supported by most of the French and a number of other delegates. Dr. Darby, secretary of the British Peace Society, led the opposition, which was supported in general by the British and American delegates. He proved, we think, conclusively that the history of arbitration shows that arbitral awards need no sanctions, not even of a purely pacific kind, if such are possible. But Dr. Dumas' resolution was adopted by a very small majority, and the Peace Congress went on record for the first time as favoring pacific sanctions of arbitration. The resolution on this subject will be found on another page, with the other resolutions voted by the Congress.

The session devoted to the relations of labor to the Peace Movement was a very interesting one. So was that in which the educational aspects of the movement were discussed. The Armenian and Congo atrocities, and those committed against weaker races everywhere, called forth emphatic protests in the name of justice and right, on which so largely, the Congress feels, the hope of permanent peace rests. Franco-German and Anglo-German relations, in their present somewhat improved and more hopeful condition, aroused deep interest, and so did all phases of the question of the Hague Court, the coming Hague Conference, etc.

It being impossible, within our limited space, to give any full report of the daily debates, we have published in another part of this issue the text, in English, of all the important resolutions adopted, and have tried to gather up in a series of notes on the Congress the significance of the social occurrences and other events connected with the week's proceedings.

The influence of the Congress locally, might we think, have been much increased by a series of public meetings in different parts of the city, by means of which the ideas and practical aims of the peace workers might have been brought home to a larger number of the toiling masses. One such meeting was held, and addressed by a number of the leading delegates. It was very successful and useful. The difficulty, however, of finding places for meeting, because of the crowded condition of the city and the other congresses going on, made it impracticable, in the judgment of the Organizing Committee, to do more in this direction. We hope that the Congress at Munich next year, and all future ones, will see to it that this part of the program is made large and full. One of the chief functions of the Peace Congress, at the present stage of its life and work, is the education of the communities which it visits from year to year.

The Congress, we are sure, will prove a powerful stimulus to the Peace Movement, especially in southern and southeastern Europe, where the ideas which it upholds have already taken a wide and deep hold of the popular mind. It marks another and a most encouraging stage in the triumphant progress of the cause which already has reached such a position of strength and assurance as promises the early suppression, in a large measure if not entirely, of the "monstrous crime of war" and the organization of the nations in a federation of justice, goodwill, coöperation, mutual respect and peace, through which alone the national honor and the rights and welfare of the people can together be secured and maintained.

### **The Berlin Conference of the International Law Association.**

The twenty-third Conference of the International Law Association, held at Berlin, October 1 to 5, was in some respects the most important meeting which the Association has ever held. It was rendered so by the fact that it was held at Berlin under what was practically the immediate auspices of the German government. This was the first time that the Association had gone to Berlin; the first time, we believe, that any association whose avowed object, in part or in whole, is the promotion of better international relations, of arbitration and peace, has ever held a conference at the German capital, where congresses of a scientific character have been numerous. This fact, therefore, signifies very much as an evidence of the rapidly increasing friendliness of the nations and the growing disposition of the governments themselves to become coworkers with the friends of international justice and peace. The governments of the United States, of Great Britain, of France, of Italy, of Austria-Hungary and of Germany

interesting themselves directly, in one way or another, in the cause of better international understanding and order — what does this not mean for the future?

The reception given the Conference was most cordial and generous. The invitation had come from the Juristic Society of Berlin, the Berlin Society of Advocates, and the Association for Comparative Jurisprudence and Political Economy. All these societies, whose members are among the foremost men of Berlin, did their utmost to make the Conference pleasant as well as successful and useful. Their Reception Committee, twenty-six strong, made up of jurists, statesmen, professors from the university, leaders in the field of commerce, etc., read almost like a national cabinet list. Its chairman was Dr. R. Koch, an Imperial Privy Councillor and President of the Directors of the Imperial Bank, who was also, when the Conference opened, made its president.

On the evening before the Conference opened, Monday, the 1st of October, a reception was given to the delegates in the City Hall by the Mayor (Oberbürgermeister) and City Corporation of Berlin. It was an elaborate affair, with dinner and a number of speeches lasting till the midnight hour. On Tuesday evening a banquet was tendered the foreign guests at the *Landesaussstellungspark* by the societies mentioned above. At this dinner, following which, or rather sandwiched in between the courses of which, a number of excellent speeches were made, prominent Germans were seated about among the guests, so as to entertain them and help them to have a pleasant time. And they had a pleasant time in spite of their poor German and the not much better English of their hosts. On Thursday evening the guests sat down to a great banquet at the Chamber of Commerce, given by the Berlin Chamber of Commerce, the Berlin Merchants' Guild and the Association of Banks and Bankers of Berlin. The gentle reader, who has followed the details given above, will easily imagine what sort of a feast it was. And on Friday evening, as if to finish up those who had not already been "killed with kindness," a reception was given in the Zoölogical Gardens by the Juristic and other Societies, who had brought the Conference to the German capital.

The chief of the elaborate social functions which the Reception Committee had arranged for us, we must not forget to say, was a luncheon in the Imperial Palace on Wednesday, on the very kind invitation of the German Emperor himself. The Emperor himself was not there, except in spirit. He was not in Berlin at the time. He was represented at the Palace by his cousin, Prince Friedrich Leopold of Prussia, who received the guests in a quiet, courteous, dignified way, which left a good impression on all. The Prince was assisted by the Imperial Chamberlain, and by a number of officials of the government and the city. Count Posadowsky, the Secre-

tary of State, was present also. An hour or more was spent, under the guidance of the Prince, in visiting the magnificent State Halls of the Palace, looking at the numerous paintings and the Gobelin tapestries, watching a division of the Imperial Guard do the goose-step in the Court, etc., and then the visitors sat down to an elegant, perfectly served luncheon in two of the halls of the Palace. As one looked on this spectacle, the British Ambassador on one side of the Prince and the American Ambassador on the other, with noted representatives of many governments at the tables, one could not help wondering how, if they had been present, the originators and founders of the International Law Association, Elihu Burritt, Dr. James B. Miles and their friends, would have felt to see their ideas and aims thus recognized and honored by the head of one of the greatest and most powerful nations. The world has indeed moved a long way forward since the founding of the International Law Association thirty-three years ago.

We must not be understood to imply that the Conference was all reception, breakfasting and dining. In its business sessions, it did hard, thorough and most useful work. Besides scholarly papers on various aspects of international law, with which the general public does not concern itself, there were able and instructive addresses on subjects more nearly related to the popular work of the peace societies and congresses. The sessions at which arbitration, the rights of neutrals and the exemption of private property at sea from capture in time of war were considered were fuller of interest than any others. Two able papers on arbitration were read, one by Dr. W. E. Darby, and the other by Sir Thomas Barclay. The latter we publish in full, that our readers may see how Dr. Barclay thinks the delicate questions of "vital interests" and "national honor" may be successfully dealt with by the coming Hague Conference.

One most encouraging thing was distinctly observable in the Conference, — the disposition, that is, to think that the time has come when the rights of neutrals must not only be guarded but extended as widely as practicable, that they may not be disturbed and trampled on by the ruthless feet of belligerents. The Executive Council of the Association was authorized to create a special committee for the thorough study of the different phases of this subject. The subject of the neutralization of the trade routes of the oceans, which has awakened such wide interest since its first proposal by the Massachusetts State Board of Trade, but with which the International Law Conference has never yet dealt, was, on motion of B. F. Trueblood, referred by a hearty and practically unanimous vote to this committee for special consideration and report. In his excellent address on "Neutral Rights" Mr. Gaston de Laval, the legal adviser to the British embassy at Brussels, declared

that "the sea was made, not for war, but for the unification of the nations." And that was evidently the prevailing sentiment of the members.

The *personnel* of the Conference, as we have already implied, was very high. Among the other prominent members were Sir William R. Kennedy and Sir John C. Bigham, of the British High Court of Justice, Dr. F. von Martitz, Professor of International Law at the University of Berlin, Professor A. H. Charteris, Lecturer on International Law at the University of Glasgow, Dr. Victor Schneider, Counsellor of Justice, Berlin, Dr. F. Sieveking, President of the Hanseatic High Court of Appeal, Hamburg, Dr. Zachariae, of the Supreme Court of Judicature, Berlin, Dr. Ernö Wittman, Budapest, Dr. Paul Govare, Paris, and others.

Aside from what it may have done directly for the formal advancement of international law, the Conference, composed largely of jurists and publicists of repute in their own countries and meeting under the auspices of the foremost law societies of Germany and of the Imperial government itself, marks a distinct and unusual advance in the conquests which the new spirit of order, friendship and coöperation is making everywhere among the nations. Before the steady and irresistible progress of this new spirit, of which there are evidences in so many directions, the militarism of the time, proud and disdainful with its vast armies and big navies, must in the near future break down and disappear, in Germany and everywhere else. The world is hereafter to be the home of love, justice and law.

### The Second Hague Conference.

It is announced from Washington that the second Hague Conference, which has been in the air now for nearly two years, will meet the middle of May next.

The United States delegates to the Conference will be, it is announced, Ex-Ambassador Horace Porter, Ex-Ambassador Joseph H. Choate, Hon. David J. Hill, Minister to The Netherlands, and Judge U. M. Rose of Arkansas, an authority on international law of international reputation. The military adviser of the Commission will be Gen. George B. Davis, judge advocate-general of the army, and the naval adviser, Admiral Charles S. Sperry, president of the Naval War College.

The instructions to these delegates will be prepared by Secretary Root, subject to the approval of the President, and are said to be already well in hand.

What these instructions are to be has not yet been made public, at least in any complete way. But it is of the utmost importance, for the success of the Conference and its widest possible influence in the advancement of the cause for which it is to meet, that the United States delegates should enter it authorized and instructed to take a leading place in the support of all the great measures which have been proposed for discussion by the

consensus of judgment of the organizations and individuals most competent to speak on the subject. The position taken by our delegation in the Conference of 1899 makes it doubly incumbent upon our government to play no second and backward rôle in the coming meeting.

The dispatch from Washington announcing the date of the Conference states that, in the opinion of the United States delegates chosen, the most important subjects to come before it will be the proposed extension of the powers of the Hague Court and the matter of the rights of neutrals. These are, of course, great subjects, but they are not all of the greatest ones, and, indeed, only one of them can be reckoned in the category of the most important.

It has been disappointing that no hint has yet come from Washington that our government proposes to support, with all its weight, the splendid initiative of the British government and House of Commons in the matter of limitation and reduction of armaments. France and Italy and Austria have all frankly declared their intention to do so. It is inconceivable that our government will not take this stand also in the Conference, and the word, it seems to us, ought long ago to have gone out from Washington to this effect.

Another great subject to which our government ought also to give its undivided support is that of a world-congress, to the extent at least of helping to make the Hague Conference hereafter a periodic and automatic organization. On this point the Interparliamentary Union, whose authority in such matters is everywhere recognized, has laid strong emphasis. Indeed, the whole Interparliamentary program for the Conference is nothing more than a concise and well drawn statement of what the enlightened and philanthropic public sentiment of the civilized world not only hopes but expects the second Intergovernmental Peace Conference to accomplish. This program, in substance, calls for the action of the Conference on —

1. A treaty of obligatory arbitration, as general as possible, to be signed by all the nations represented in the Conference, with such extension of the powers of the Permanent Court at The Hague as can be wisely made.

2. The establishment of a world-congress or parliament, through the regularization of the Hague Conference itself or otherwise, for the thorough and systematic consideration of the important questions continually arising among the nations.

3. An arrest and reduction of armaments.

4. The neutralization, in some form, of all unoffending private commerce in time of war.

There are other subjects, of course, with which the Conference will have to deal, but these are the essentially important ones; and it is naturally to be expected that our government, from its historic traditions, will be at the front in every endeavor to make the Conference